Minute of Dissent. 33

When the State itself comes down into the field of 'competition with private persons it must compete with them on equal terms, and not claim preferential treatment'.

Clause 3.—Our country is very poor. Common man cannot spare much for his transport. Most of his income is exhausted in food and bare clothing. It is not only the efficiency that is needed in transport. It should also be economical as far as possible, and commensurate with his means.

The words "as economically as possible" and "of preventing uneconomic competition" in part (*c*) of clause 3 must have provided a wholesome check. These words have a history behind them and were added in the original act when it was under discussion on the 9th April, 1949. In my opinion they should be retained.

Clause 17.—There is no reason why these words should be omitted. The provisions contained in the Motor Vehicles Act were incorporated for the comfort and convenience of the user. Why should state transport be absolved from such responsibilities. The same applies to clause 18. The new sub-clause (5) is welcome indeed, but there is no guarantee that the employees would not be thrown out without any just cause.

Clause 22.—Sub-clause (3) has made the displaced operators eligible for shares when "the other parties" are invited to subscribe. But no preference has been given to these unlucky persons who, for no fault of theirs, would be deprived of their living. The policy of the Central Government declared earlier, to form Tripartite companies should have been adhered to.

Clause 39.—The Select Committee appreciated the hardship that could be caused by the State Government simply refusing to renew the permits and thus hitting the operators at the very root. Pious wishes have been expressed. But there is no sanction for these. The only effective remedy is to incorporate the relevant provisions of the U. K. Motor Vehicles Act.

NEW DELHI; HUKAM SINGH.

The 15th November, 1950.

THE ROAD TRANSPORT CORPORATIONS BILL, 1949.

[AS AMENDED BY THE SELECT COMMITTEE.]

(Words side-lined or underlined indicate the amendments suggested by the Committee; asterisks indicate omissions.)

A. BILL No. 82 OF 1949.

A Bill to provide for the incorporation and regulation of Road Transport Corporations.

* * * * * * *

Be it enacted by Parliament as follows:—

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) This Act may be called the Road Transport Corporations Act, 1950.